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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:	)	
	)	MMB Docket No. 1671-0287
Inventors: Christie et al.	)	
	)	J&J Reference: DEP 5211
Application No: 10/748,443	)	
	)	Examiner: To be assigned
Filed: December 30, 2003	)	
	)	Group Art Unit: 3737
Title: <b>Minimally Invasive Bone</b>	)	
<b>Miller Apparatus</b>	)	

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 20, 2005  
(Date of Deposit)

Paul J. Maginot

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Signature of person mailing Document or Fee

January 20, 2005

Date of Signature

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, Applicants hereby disclose the references listed below and identified on the attached Form PTO-1449. Copies of the twelve (12) foreign references identified below are enclosed regarding the above-identified patent application.

<u>U.S. Patent No.</u>	<u>Issue Date</u>	<u>Inventor</u>
Des. 346,979	May 17, 1994	Stalcup et al.
Des. 357,315	April 11, 1995	Dietz
4,004,581	January 25, 1977	Heimke et al.
4,116,200	September 26, 1978	Braun et al.
4,658,808	April 21, 1987	Link
4,777,942	October 18, 1988	Frey et al.
5,047,033	September 10, 1991	Fallin
5,171,244	December 15, 1992	Caspari et al.
5,192,283	March 9, 1993	Ling et al.
5,207,680	May 4, 1993	Dietz
5,228,459	July 20, 1993	Caspari et al.
5,263,498	November 23, 1993	Caspari et al.
5,304,181	April 19, 1994	Caspari et al.
5,344,423	September 6, 1994	Dietz et al.
5,395,376	March 7, 1995	Caspari et al.
5,403,320	April 4, 1995	Luman et al.
5,468,243	November 21, 1995	Halpern
5,470,336	November 28, 1995	Ling et al.
5,474,559	December 12, 1995	Bertin et al.
5,486,180	January 23, 1996	Dietz et al.
5,496,324	March 5, 1996	Barnes
5,507,815	April 16, 1996	Wagner et al.
5,507,833	April 16, 1996	Bohn
5,534,005	July 9, 1996	Tokish, Jr. et al.
5,540,694	July 30, 1996	DeCarlo, Jr. et al.
5,569,255	October 29, 1996	Burke
5,593,411	January 14, 1997	Stalcup et al.
5,601,563	February 11, 1997	Burke et al.
5,607,269	March 4, 1997	Dowd et al.
5,643,271	July 1, 1997	Sederholm et al.
5,653,714	August 5, 1997	Dietz et al.
5,683,395	November 4, 1997	Mikhail
5,743,915	April 28, 1998	Bertin et al.
5,755,803	May 26, 1998	Haines et al.
5,769,855	June 23, 1998	Bertin et al.

5,810,827	September 22, 1998	Haines et al.
5,810,830	September 22, 1998	Noble et al.
5,853,415	December 29, 1998	Bertin et al.
5,860,981	January 19, 1999	Bertin et al.
5,879,354	March 9, 1999	Haines et al.
5,968,049	October 19, 1999	Rold
5,976,145	November 2, 1999	Kennefick, III
5,993,455	November 30, 1999	Noble
6,056,754	May 2, 2000	Haines et al.
6,120,507	September 19, 2000	Allard et al.
6,159,214	December 12, 2000	Michelson
6,197,064	March 6, 2001	Haines et al.
6,197,065	March 6, 2001	Martin et al.
6,270,502	August 7, 2001	Stulberg
6,287,342	September 11, 2001	Copf et al.
6,318,651	November 20, 2001	Spiering
6,432,141	August 13, 2002	Stocks et al.
6,440,139	August 27, 2002	Michelson
6,508,841	January 21, 2003	Martin et al.
6,589,285	July 8, 2003	Penenberg
6,663,616	December 16, 2003	Roth et al.
6,676,706	January 13, 2004	Mears et al.
6,770,100	August 3, 2004	Draenert
RE38,058	April 1, 2003	Fallin

**U.S. Published  
Applications**


2003/0130740	July 10, 2003	Stocks et al.
2003/0171756	September 11, 2003	Fallin et al.
2003/0187449	October 2, 2003	McCleary et al.
2004/0092951	May 13, 2004	Serra et al.

<u>Foreign Patent No.</u>	<u>Date Issued</u>	<u>Country</u>
EP 0 511 244	October 21, 1998	Europe
EP 0 595 956	July 21, 1992	Europe
EP 0 661 023	December 16, 1994	Europe
EP 0 726 063	February 12, 1996	Europe
EP 0 842 639	November 3, 1997	Europe
EP 1 084 680	December 16, 1994	Europe
EP 1 348 384	March 29, 2003	Europe
WO 02/102254	December 27, 2002	PCT
WO 03/082159	October 9, 2003	PCT
WO 03/094698	November 20, 2003	PCT
WO 91/10408	July 25, 1991	PCT
WO 94/12123	June 9, 1994	PCT

It is believed that no fees are due for the consideration of this Information Disclosure Statement. However, the Commissioner is hereby authorized to charge any fee deficiency or to credit any overpayment to Deposit Account No. 13-0014, but not to include any payment of issue fees.

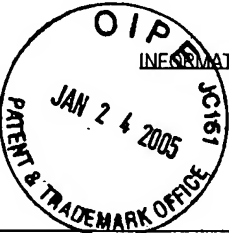
Respectfully submitted,

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	FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT		ATTY. DOCKET NO. 1671-0287	APPLICATION NO. 10/748,443
	APPLICANTS: Christie et al.			
	FILING DATE: December 30, 2003		GROUP: 3737	

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA	Des. 346,979	May 17, 1994	Stalcup et al.			
	AB	Des. 357,315	April 11, 1995	Dietz			
	AC	4,004,581	January 25, 1977	Heimke et al.			
	AD	4,116,200	September 26, 1978	Braun et al.			
	AE	4,658,808	April 21, 1987	Link			
	AF	4,777,942	October 18, 1988	Frey et al.			
	AG	5,047,033	September 10, 1991	Fallin			
	AH	5,171,244	December 15, 1992	Caspari et al.			
	AI	5,192,283	March 9, 1993	Ling et al.			
	AJ	5,207,680	May 4, 1993	Dietz			
	AK	5,228,459	July 20, 1993	Caspari et al.			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL	EP 0 511 244		Europe			Yes No
	AM	EP 0 595 956	July 21, 1992	Europe			Yes No
	AN	EP 0 661 023	December 16, 1994	Europe			Yes No
	AO	EP 0 726 063	February 12, 1996	Europe			Yes No
	AP	EP 0 842 639	November 3, 1997	Europe			Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AQ	1	
	AR	1	
	AS	1	

EXAMINER

DATE CONSIDERED

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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ATTY. DOCKET NO.  
1671-0287

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	BA	5,263,498	November 23, 1993	Caspari et al.			
	BB	5,304,181	April 19, 1994	Caspari et al.			
	BC	5,344,423	September 6, 1994	Dietz et al.			
	BD	5,395,376	March 7, 1995	Caspari et al.			
	BE	5,403,320	April 4, 1995	Luman et al.			
	BF	5,468,243	November 21, 1995	Halpern			
	BG	5,470,336	November 28, 1995	Ling et al.			
	BH	5,474,559	December 12, 1995	Bertin et al.			
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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	BL	EP 1 084 680	December 16, 1994	Europe			Yes No
	BM	EP 1 348 384	March 29, 2003	Europe			Yes No
	BN	WO 02/102254	December 27, 2002	PCT			Yes No
	BO	WO 03/082159	October 9, 2003	PCT			Yes No
	BP	WO 03/094698	November 20, 2003	PCT			Yes No

**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

	BQ	2	
	BR	2	
	BS	2	

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	CB	5,534,005	July 9, 1996	Tokish, Jr. et al.			
	CC	5,540,694	July 30, 1996	DeCarlo, Jr. et al.			
	CD	5,569,255	October 29, 1996	Burke			
	CE	5,593,411	January 14, 1997	Stalcup et al.			
	CF	5,601,563	February 11, 1997	Burke et al.			
	CG	5,607,269	March 4, 1997	Dowd et al.			
	CH	5,643,271	July 1, 1997	Sederholm et al.			
	CI	5,653,714	August 5, 1997	Dietz et al.			
	CJ	5,683,395	November 4, 1997	Mikhail			
	CK	5,743,915	April 28, 1998	Bertin et al.			

#### FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	CL	WO 91/10408	July 25, 1991	PCT			Yes No
	CM	WO 94/12123	June 9, 1994	PCT			Yes No
	CN						Yes No
	CO						Yes No
	CP						Yes No

#### OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	CQ	2	
	CR	2	
	CS	2	

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	DB	5,769,855	June 23, 1998	Bertin et al.			
	DC	5,810,827	September 22, 1998	Haines et al.			
	DD	5,810,830	September 22, 1998	Noble et al.			
	DE	5,853,415	December 29, 1998	Bertin et al.			
	DF	5,860,981	January 19, 1999	Bertin et al.			
	DG	5,879,354	March 9, 1999	Haines et al.			
	DH	5,968,049	October 19, 1999	Rold			
	DI	5,976,145	November 2, 1999	Kennefick, III			
	DJ	5,993,455	November 30, 1999	Noble			
	DK	6,056,754	May 2, 2000	Haines et al.			
	DL	6,120,507	September 19, 2000	Allard et al.			
	DM	6,159,214	December 12, 2000	Michelson			

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	DN						Yes No
	DO						Yes No
	DP						Yes No
	DQ						Yes No
	DR						Yes No

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	DT	2	
	DU	2	

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	ED	6,287,342	September 11, 2001	Copf et al.			
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	EJ	6,663,616	December 16, 2003	Roth et al.			
	EK	6,676,706	January 13, 2004	Mears et al.			

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	EL						Yes No
	EM						Yes No
	EN						Yes No
	EO						Yes No
	EP						Yes No

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	ER	2	
	DS	2	

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	FA	6,770,100	August 3, 2004	Draenert			
	FB	RE 38,058	April 1, 2003	Fallin			
	FC	2003/0130740	July 10, 2003	Stocks et al.			
	FD	2003/0171756	September 11, 2003	Fallin et al.			
	FE	2003/0187449	October 2, 2003	McCleary et al.			
	FF	2004/0092951	May 13, 2004	Serra et al.			
	FG						
	FH						
	FI						
	FJ						
	FK						

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	FL						Yes No
	FM						Yes No
	FN						Yes No
	FO						Yes No
	FP						Yes No

**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

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	FR	2	
	FS	2	

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